

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

NEVADA CONTROLS, LLC,)	3:12-CV-0068-HDM-VPC
)	
Plaintiff(s),)	<u>AMENDED</u>
)	<u>MINUTES OF PROCEEDINGS</u>
vs.)	
)	DATED: June 5, 2013
WIND PUMP POWER, LLC, et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE
Deputy Clerk: Lisa Mann Court Reporter: FTR
Counsel for Plaintiff(s): Leigh Goddard
Counsel for Defendant(s): Mark Goodman and (By telephone) David Swenson

PROCEEDINGS: MOTIONS HEARING

10:02 a.m. Court convenes.

The Court notes there are problems with this case and recites the chronology of events in this action since the last hearing conducted before this Court on April 22, 2013 (#58).

The Court and counsel discuss the status of this case and the pending motions.

Having heard from counsel and good cause appearing, the Court finds as follows:

1. Dan Rasure:

The Court notes on April 22, 2013, Mr. Rasure was ordered to pay the amount of \$3,004.12 in sanctions to plaintiff (#58). Defendants have not paid the sanction and are in violation of this Court's order. Therefore, an order to show cause hearing shall be scheduled in accordance with LR IA 4-1(d) for Mr. Rasure's failure to comply with orders of the court.

2. Motion to withdraw as counsel filed by Mark Goodman (#60):

Mr. Goodman's motion to withdraw as counsel for defendant Sunflower Wind, LLC (#60) is DENIED.

Nevada Controls, LLC v. Wind Pump Power, LLC, et al.
3:12-CV-0068-HDM-VPC
June 5, 2013
Page 2

3. Plaintiff's motion to compel (#57):

Plaintiff's motion to compel (#57) is GRANTED as follows:

- a. Defendants Wind Pump Power, LLC and Dan Rasure shall provide complete answers to plaintiff's written discovery by no later than the close of business on **Wednesday, June 19, 2013**. The Court advises counsel that due to the defendant's failure to answer plaintiff's written discovery, they have waived the right to assert any objections to such discovery.
- b. With respect to the plaintiff's request for sanctions against defendants in the form of an order striking the answer of Sunflower Wind, the Court shall allow Sunflower Wind to file an opposition to the motion for sanctions by no later than the close of business on **Wednesday, June 19, 2013**.
- c. Ms. Goddard shall have until no later than the close of business on **Wednesday, June 19, 2013**, to file an itemization of all attorney's fees and costs incurred in pursuing the motion to compel (#57).

4. Motion for extension of time for defendant Sunflower Wind, LLC, to file opposition to plaintiff Nevada Controls' motion to compel (#62):

Defendant Sunflower Wind, LLC shall have until no later than the close of business on **Wednesday, June 19, 2013**, to file an opposition to plaintiff's motion to compel (#57). Plaintiff shall file a reply in normal course.

IT IS SO ORDERED.

10:42 a.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/
Lisa Mann, Deputy Clerk